

Message Text

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MMS-04 DIWY-01 SS-15 NSC-05 DODE-00 PA-02 USIA-15

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P 111153Z JUN 75

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 3631

UNCLAS SECTION 1 OF 4 GENEVA 4360

PASS LABOR FOR SEGALL

EO 11652: N/A

TAGS: ILO CI

SUBJ: ILO CONFERENCE: FIRST FIVE RESOLUTIONS TO BE DISCUSSED BY
RESOLUTIONS COMMITTEE

REF: GENEVA 4343

1. TEXTS AND ANTECEDENTS OF COMBINED RESOLUTIONS (PARA 1
D AND E, REFTEL) ON VOCATIONAL REHABILITATION AND ON WORKING
CONDITIONS AND ENVIRONMENT, FOLLOW BELOW INPARAS 2 AND 3.

2. BEGIN TEXT. (CONSOLIDATED TEXT OF THE RESOLUTION CONCERNING
THE VOCATIONAL AND SOCIAL REHABILITATION OF DISABLED PERSONS,
AND THE LAUNCHING OF A "WORLD CAMPAIGN FOR VOCATIONAL
REHABILITATION OF DISABLED PERSONS", SUBMITTED BY THE
GOVERNMENT DELEGATION OF BRAZIL AND MR. HAASE,
GOVERNMENT DELEGATE, FRG, THE RESOLUTION CONCERNING SOCIAL
REINTEGRATION AND VOCATIONAL REHABILITATION OF DISABLED PERSONS,
SUBMITTED BY THE GOVERNMENT DELEGATION OF IRELAND; AND THE
RESOLUTION CONCERNING VOCATIONAL REHABILITATION AND SOCIAL
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RETEGRATION OF DISABLED PERSONS, SUBMITTED BY MR. COLN,

GOV DELEGATE, DENMARK; MR. HELDAL, GOV DELEGATE, NORWAY;
MR. ISACSSON, GOV DELEGATE, SWEDEN; MR. MULTIMAKI, GOV
DELEGATE, FINALAND; AND MR. AZIMI, GOV DELEGATE, IRAN.)

RESOLUTION CONCERNING VOCATIONAL REHABILITATION AND SOCIAL
RETEGRATION OF DISABLED PERSONS, SUBMITTED BY THE GOVERNMENT
DELEGATION OF BRAZIL; THE GOVERNMENT DELEGATION OF IRELAND;
MR. AZIMI, GOV DELEGATE, IRAN; MR. COLN, GOV DELEGATE, DENMARK;
MR. HAASE, GOV DELEGATE, FRG; MR. HELDAL, GOV DELEGATE,
NORWAY; MR. ISACSSON, GOV DELEGATE, SWEDEN; AND MR. MULTIMAKI,
GOV DELEGATE FINALND.

PREAMBLE 1. THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOR
ORGANIZATION,

2. REAFFIRMING ITS AIM TO ADVANCE THE CAUSE OF SOCIAL
JUSTICE AND ITS FAITH IN THE DIGNITY OF MAN,

3. CONSIDERING THAT TO PROVIDE HELP FOR VOCATIONAL
REHABILITATION AND SOCIAL RETEGRATION OF DISABLED PERSONS
IS BOTH A HUMANITARIAN DUTY AND A REQUIREMENT IMPOSED BY
HUMAN SOLICITARY AND THAT, MOREOVER, IT FOLLOWS FROM THE
RIGHT TO WORK PROVIDED FOR IN ARTICLE 23 OF THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS,

4. RECALLING THAT THE UNITED NATIONS DECLARATION OF SOCIAL
DECLARATION OF SOCIAL PROGRESS AND DEVELOPMENT STRESSES THE
NEED TO PROTECT THE RIGHTS OF DISABLED WORKERS AND TO ENSURE
THEIR WELFARE AND REHABILITATION,

5. RECALLING THE PRINCIPLE LAID DOWN IN THE
VOCATIONAL REHABILITATION (DISABLED) RECOMMENDATION, 1955
(NO. 99), THAT VOCATIONAL REHABILITATION SERVICES SHOULD BE
MADE AVAILABLE TO ALL PERSONS WITH DISABILITIES, WHATEVER THE
ORIGIN AND NATURE OF THEIR DISABILITY AND WHATEVER THEIR AGE,
PROVIDED THEY CAN BE PREPARED FOR, AND HAVE REASONABLE PROSPECTS
OF, SECURING AND RETAINING SUITABLE EMPLOYMENT,

6. REFERRING TO THE RESOLUTIONS OF THE INTERNATIONAL LABOR
CONFERENCE CONCERNING VOCATIONAL REHABILITATION OF DISABLED
PERSONS (1965) AND DISABLED WORKERS (1968),

7. NOTING THAT THERE ARE IN THE WORLD MORE THAN 300
MILLION PHYSICALLY OR MENTALLY DISABLED PERSONS AND THAT THIS
NUMBER MAY BE EXPECTED TO INCREASE IN FUTURE YEARS,

8. WELCOMING THE FACT THAT THE NEED FOR SPECIAL MEASURES
TO INTEGRATE DISABLED PERSONS HAS IN THE MEANTIME BECOME
STEADILY MORE CLEARLY RECOGNIZED BY PUBLIC OPINION AND BY
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OFFICIAL AUTHORITIES, AND REFERRING IN THIS CONNECTION
TO THE FACT THAT REHABILITATION INTERNATIONAL (ISRD) HAS
DECLARED THE 1970'S TO BE THE REHABILITATION DECADE,

9. DEPLORING THE FACT THAT 80 PERCENT OF THE WORLD'S
DISABLED, THE MAJORITY OF WHOM LIVE IN DEVELOPING COUNTRIES,
HAVE VERY LIMITED OPPORTUNITY FOR WORK;

OPERATIVE 1. URGES MEMBER STATES -

(A) TO RECOGNIZE THAT:

- (I) ALL PERSONS OF ECONOMICALLY ACTIVE AGE HAVE THE RIGHT TO VOCATIONAL REHABILITATION, TRAINING AND SUITABLE WORK IF THEY SO WISH;
- (II) A HIGH INCIDENCE OF DISABILITY IN THE COMMUNITY IS A SERIOUS DRAIN ON THE NATIONAL ECONOMY AND COULD UNDERMINE THE SOCIEAL FABRIC OF A COUNTRY UNLESS EFFECTIVE MEASURES ARE TAKEN;

(B) TO PROVIDE FOR:

- (I) THE INTEGRATION OF DISABLED PERSONS IN GENERAL TRAINING AND EMPLOYMENT SCHEMES;
- (II) SPEICAIL SERVICES AND SUPPORT FOR THE SEVERELY DISABLED.

2. CALLS ON EMPLOYERS' AND WORKERS' ORGANIZATIONS TO PROMOTE MAXIMUM OPPORTUNITIES FOR DISABLED PERSONS TO SECURE AND RETAIN SUITABLE EMPLOYMENT.

3. REQUESTS THE DIRECTOR GENERAL OF THE INTERNATIONAL LABOR OFFICE -

- (I) TO FACILITATE AN EXCHANGE OF EXPERIENCE, TECHNIQUES,

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FM USMISSION GENEVA

TO SECSTATE WASHDC 3632

UNCLAS SECTION 2 OF 4 GENEVA 4360

PASS LABOR FOR SEGALL

LEGISLATIVE MEASURES AND RESEARCH IN VOCATIONAL

REHABILITATION OF MEMBER STATES WITH A VIEW TO
IMPROVING THE EFFECTIVENESS OF SERVICES TO THE
DISABLED;

(II) TO ASSIST DEVELOPING COUNTRIES IN THEIR EFFORTS
TO CREATE VOCATIONAL REHABILITATION FACILITIES AND
OPEN SHELTERED EMPLOYMENT OPPORTUNITIES FOR THEIR
DISABLED;

(III) TO ESTABLISH A UNIFORM DOCUMENTATION SERVICE
CONCERNING VOCATIONAL REHABILITATION FOR THE
MUTUAL INFORMATION OF ALL MEMBER STATES AND INTERESTED
ORGANIZATIONS;

(IV) TO LAUNCH A WORLD-WIDE CAMPAIGN FOR VOCATIONAL
REHABILITATION, IN COOPERATION AND COORDINATION WITH
THE UNITED NATIONS, ITS SPECIALIZED AGENCIES AND
INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS CONCERNED,
WITH A VIEW TO PROMOTING THE EXTENSION AND DEVELOPMENT
OF REHABILITATION SERVICES FOR THE DISABLED;

(V) TO ACCORD THE HIGHEST POSSIBLE PRIORITY TO
PROGRAMMES AIMED AT THE VOCATIONAL REHABILITATION

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AN SOCIAL REINTEGRATION OF THE DISABLED AND TO
INFORM THE GOVERNING BODY OF THE INTERNATIONAL LABOR
OFFICE AS SOON AS POSSIBLE ON THE MEASURES TAKEN IN
THE FIELD OF REHABILITATION. END TEXT

3. BEGIN TEXT (CONSOLIDATED TEXT OF THE RESOLUTION CONCERNING
FREEDOM OF ASSOCIATION, SUBMITTED BY MR. COMMANDEUR,
WORKERS' DELEGATE, NETHERLANDS, AND MR. SALANNE,
WORKERS' DELEGATE, FRANCE; AND THE RESOLUTION CONCERNING
THE STRENGTHENING OF THE PROTECTION OF HUMAN RIGHTS AND
TRADE UNION FREEDOMS IN THE UNDERTAKING, THE ECONOMY
AND SOCIETY, SUBMITTED BY MR. TIMMER, WORKERS' DELEGATE,
HUNGARY).

TITLE

RESOLUTION CONCERNING THE STRENGTHENING
OF THE PROTECTION OF HUMAN RIGHTS AND TRADE
UNION FREEDOMS IN THE UNDERTAKING, THE
ECONOMY AND SOCIETY, SUBMITTED BY
MR. COMMANDEUR, WORKERS' DELEGATE,
NETHERLANDS; MR. SALANNE, WORKERS'
DELEGATE, FRANCE; AND MR. TIMMER,
WORKERS' DELEGATE, HUNGARY

PREAMBLE

1. THE GENERAL CONFERENCE OF THE
INTERNATIONAL LABOUR ORGANISATION,

2. CONSIDERING THE INSTITUTIONALISATION OF
VIOLATION IN A CERTAIN NUMBER OF
COUNTRIES OF THE BASIC PRINCIPLES
RELATING TO UNIVERSALLY RECOGNISED
HUMAN RIGHTS AND, IN PARTICULAR, TRADE
UNION RIGHTS AS:

- DEFINED AND SOLEMNLY PROCLAIMED
IN THE UNIVERSAL DECLARATION OF
HUMAN RIGHTS, IN THE PREAMBLE TO
THE CONSTITUTION OF THE INTERNATIONAL
LABOUR ORGANISATION AND IN THE
DECLARATION OF PHILADELPHIA;

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- SPECIFICALLY MENTIONED IN THE
FREEDOM OF ASSOCIATION AND
PROTECTION OF THE RIGHT TO
ORGANISE CONVENTION, 1948 (NO. 87),
THE RIGHT TO ORGANISE AND COLLECTIVE
BARGAINING CONVENTION, 1949 (NO. 98),
AND THE WORKERS' REPRESENTATIVES
CONVENTION, 1971 (NO. 135), AND IN
MANY RESOLUTIONS, BOTH OF THE
INTERNATIONAL LABOUR CONFERENCE AND
OF REGIONAL CONFERENCES, IN PARTICULAR,
THE FOLLOWING:

- ABOLITION OF ANI-TRADE UNION
LEGISLATION (INTERNATIONAL LABOUR
CONFERENCE, 1957);
- TRADE UNION RIGHTS AND THEIR
RELATION TO CIVIL LIBERTIES
(INTERNATIONAL LABOUR CONFERENCE,
1970);
- HUMAN AND TRADE UNION RIGHTS IN
CHILE (INTERNATIONAL LABOUR
CONFERENCE 1974);
- PROTECTION OF THE RIGHT OF
ASSOCIATION AND FREEDOM OF
ASSOCIATION (MEXICO CITY, 1946),
FREEDOM OF ASSOCIATION (MONTEVIDEO,
1949, AND PETROPOLIS, 1952), TRADE

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FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 3633

UNCLAS SECTION 3 OF 4 GENEVA 4360

PASS LABOR FOR SEGALL

UNION RIGHTS (GENEVA, EUROPEAN
REGIONAL CONFERENCE, 1974);
- CONFERENCE OF AMERICAN STATES MEMBERS,
(MEXICO CITY, 1974).

3. DEEPLY REGRETTING THAT NO EFFECT HAS BEEN
GIVEN TO THE RESOLUTION CONCERNING TRADE
UNION RIGHTS AND THEIR RELATION TO CIVIL
LIBERTIES, ADOPTED BY THE CONFERENCE AT ITS
54TH SESSION IN 1974, WHICH REQUESTED THE
PREPARATION OF REPORTS ON LAW AND PRACTICE
WITH A VIEW TO CONSIDERING FURTHER ACTION TO
ENSURE FULL AND UNIVERSAL RESPECT FOR TRADE
UNION RIGHTS IN THEIR BROADEST SENSE,

4. CONSIDERING THAT SUCH BODIES DEFINE AND ARE
OFTEN AT THE ORIGIN OF SOCIAL AND ECONOMIC
POLICIES ESTABLISHING LOWER STANDARDS ON
FREEDOM OF ASSOCIATION THAN THOSE LAID DOWN
IN THE INTERNATIONAL INSTRUMENTS ADOPTED BY
THE INTERNATIONAL LABOUR ORGANISATION,
5. CONSIDERING FURTHERMORE THE INCREASING
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DEVELOPMENT IN EUROPE OF THE ACTIVITY OF
TRANSNATIONAL CORPORATIONS, WHICH IS
FREQUENTLY ACCOMANIED BY INADMISSIBLE

LIMITATIONS IN THE FIELD OF INDUSTRIAL RELATIONS BASED ON THE LIMITATION OF TRADE UNION RIGHTS,
6. NOTING WITH CONCERN THE ABUSE OF SCIENTIFIC PROGRESS OFTEN PERPETRATED IN SOME COUNTRIES BY THE EMPLOYERS AND THE PUBLIC AUTHORITIES, PARTICULARLY IN REGARD TO DATA PROCESSING AND THE STORAGE OF INFORMATION, SO AS TO LIMIT THE WORKERS' BASIC FREEDOMS AND TRADE UNION RIGHTS,
7. CONSIDERING THAT THE PROCESS OF INDUSTRIAL CONCENTRATION IS FREQUENTLY ACCCOMPANIED BY THE APPLICATION OF AUTOCRATIC METHODS OF MANAGEMENT AND THAT THE WORKERS AND THEIR REPRESENTATIVES ARE KEPT AWAY FROM THE DECISION-MAKING CENTRES IN THE UNDERTAKING, THUS WORSENING THE TURN TOWARDS AUTHORITARIANISM TAKEN BY INDUSTRIAL RELATIONS;

OPERATIVE

1. REAFFIRMS:

- (A) THE UNIVERSAL VALIDITY OF THE PRINCIPLES OF FREEDOM OF ASSOCIATION LAID DOWN IN THE INTERNATIONAL LABOUR CONVENTIONS CONCERNING FREEDOM OF ASSOCIATION;
- (B) THE OBLIGATION, ON THE PART OF GOVERNMENTS, TO ABOLISH WITHOUT DELAY SUCH LAWS AND ADMINISTRATIVE REGULATIONS AS HINDER OR RESTRICT FREEDOM OF ASSOCIATION AND TO ENSURE FOR THE WORKERS AND THEIR FREELY CONSTITUTED ORGANISATIONS THE EFFECTIVE EXERCISE OF TRADE UNION RIGHTS;
- (C) THE RIGHT TO FREEDOM AND SECURITY OF THE PERSON AS WELL AS PROTECTION

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AGAINST ARBITRARY ARREST AND DETENTION.

2. IS OUTRAGED AT THE RIGHT ASSUMED IN CERTAIN COUNTRIES BY THE POLICE AND ARMY TO IMPRISON AND PERSECUTE TRADE UNION MILITANTS AND LEADERS ON ACCOUNT OF LEGITIMATE ACTIVITIES RECOGNISED BY THE UNIVERSAL CONSCIENCE AS WELL AS BY THE BASIC TEXTS OF THE UNITED NATIONS AND ITS SPECIALISED AGENCIES.

3. REITERATES TO THE GOVERNING BODY OF THE

INTERNATIONAL LABOUR OFFICE THE INVITATION
MANY TIME EXPRESSED -

(A) TO PROCEED URGENTLY TO STRENGTHEN
THE MACHINERY TO ENABLE RAPID AND
EFFECTIVE INTERVENTION WHERE TRADE
UNION RIGHTS HAVE BEEN INFRINGED,
PARTICULARLY WHEN A GOVERNMENT IS
DIRECTLY IMPLICATED AND HUMAN LIVES
ARE IN DANGER;

(B) TO SUBMIT TO THE NEXT SESSION OF

THE INTERNATIONAL LABOUR CONFERENCE
A PROPOSAL WITH THE OBJECT OF:

(I) INCLUDING IN THE CONSTITUTION
OF THE ILO THE ESSENTIAL
PRINCIPLES CONTAINED IN THE
INTERNATIONAL STANDARDS CON-
CERNING THE PROTECTION OF HUMAN
AND TRADE UNION RIGHTS;

(II) AMENDING ARTICLES 5 AND 26 OF
THE STANDING ORDERS OF THE
CONFERENCE WITH A VIEW TO
RENDERING THE CREDENTIALS
COMMITTEE MORE EFFECTIVE.

4. FURTHER REQUESTS THIS GOVERNING BODY
OF THE INTERNATIONAL LABOUR OFFICE -

(A) TO ALTER THE PROCEDURE OF THE
FACT-FINDING AND CONCILIATION
COMMISSION SO THAT THIS COMMISSION
CAN ACCOMPLISH ITS MISSION OUTSIDE
THE COUNTRY CONCERNED, WHEN THE

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LATTER DOES NOT AGREE, WITHIN A
REASONABLE TIME, TO ALLOW IT TO
ACT WITHIN ITS TERRITORY;

(B) TO INVITE THE MEMBER STATES OF
ILO AND THE EMPLOYERS' AND WORKERS'
ORGANISATIONS TO OPPOSE - IN ALL
INSTANCES WHERE THEY POSSESS THE
RIGHT TO INTERVENE - ANY CO-OPERATION
OR FACILITY GRANTED TO A COUNTRY WHICH
IS UNWILLING TO OFFER THE INTERNATIONAL
LABOUR ORGANISATION ITS FULL AND COM-
PLETE CO-OPERATION IN RESPECTING TRADE

UNION RIGHTS AND THE RELATED CIVIL
LIBERTIES.

5. STRONGLY URGES MEMBER STATES TO RATIFY
AND APPLY THE FREEDOM OF ASSOCIATION AND

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FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 3634

UNCLAS SECTION 4 OF 4 GENEVA 4360

PASS LABOR FOR SEGALL

PROTECTION OF THE RIFHT TO ORGANISE
CONVENTION, 1948 (NO. 87), THE RIGHT TO
ORGANISE AND COLLECTIVE BARGAINING
CONVENTION, 1949 (NO. 98), AND THE WORKERS'
REPRESENTATIVES CONVERNTION, 1972 (NO. 135),
AND, PENDING RATIFICATION, TO GUARANTEE STRICT
OBSERVANCE OF THE PRINCIPLES SET FORTH IN THESE
CONVERNTIONS.

6. APPEALS TO MEMBER STATES TO RESPECT THE
PRINCIPLES EMBODIED IN THESE CONVENTIONS WHEN
ADOPTING THEIR NATIONAL LAWS AND REGULATIONS
AND WHEN PARTICPATING AS MEMBERS IN REGIONAL
ECONOMIC GROUPS.

7. URGES MEMBER STATES TO QUARANTEE-
(A) THAT NO REGIONAL INTERNATIONAL AGREEMENT
OR AGREEMENT BETWEEN TRANSNATIONAL
CORPORATIONS MAY BE USED AS A PRETEXT
FOR IMPOSING ON TRADE UNIONS LABOUR
STANDARDS AND CONDITIONS FOR THE
EXERCISE OF TRADE UNION FREEDOMS THAT

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ARE INFERIOR TO THOSE DEFINED BY THE
INTERNATIONAL LABOUR ORGANISATION;
(B) THAT FAVOURABLE CONDITIONS OBTAINED
AT THE NATIONAL LEVEL BY TRADE UNION
ORGANISATIONS ARE NOT MADE LESS
FAVOURABLE OR IMPAIRED BY VIRTUE OF
ANY LESS ADVANTAGEOUS PROVISIONS THAT
MAY BE CONTAINED IN INTERNATIONAL
AGREEMENTS REACHED AT THE LEVEL OF
REGIONAL ECONOMIC ORGANISATIONS OR
BETWEEN TRANSNATIONAL CORPORATIONS;
(C) IN NATIONAL CONSTITUTIONS, THE
CONDITIONS FOR DEMOCRATIC PARTICIPATION
BY WORKERS IN DECISION MAKING WITHIN
THE UNDERTAKING, BY PROVIDING FOR THE
DEMOCRATISATION OF THE MANAGEMENT OF
THE UNDERTAKING THROUGH THE EXTENSION
OF THE RIGHTS, FUNCTIONS AND ROLE OF
TRADE UNIONS.

8. INVITES THE GOVERNING BODY OF THE
INTERNATIONAL LABOUR OFFICE TO INSTRUCT
THE DIRECTOR-GENERAL -

(A) TO PREPARE REPORTS ON LAW AND
PRACTICE, INCLUDING OBSTACLES TO
THE APPLICATION BY MEMBER STATES
OF THE INTERNATIONAL LABOUR
CONVENTIONS ON FREEDOM OF ASSOCIATION;
(B) TO DRAW UP AND IMPLEMENT A COHERENT
PROGRAMME DESIGNED TO PROMOTE THE
PROTECTION, STRENGTHENING AND
EXPANSION OF TRADE UNION RIGHTS AND
THE RIGHT TO COLLECTIVE BARGAINING
IN THE UNDERTAKING, THE ECONOMY AND
SOCIETY, IN PARTICULAR BY PREPARING
REPORTS WITH A VIEW TO THE ADOPTION
OF NEW INTERNATIONAL STANDARDS
CONCERNING THE PROTECTION OF HUMAN
RIGHTS AND TRADE UNION FREEDOMS, IN
ACCORDANCE WITH THE RESOLUTION CON-
CERNING TRADE UNION RIGHTS AND THEIR
RELATION TO CIVIL LIBERTIES, ADOPTED

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BY THE INTERNATIONAL LABOUR CONFERENCE

AT ITS 54TH (1970) SESSION;
(C) TO PREPARE A REPORT WITH A VIEW TO
THE ADOPTION OF AN INTERNATIONAL
INSTRUMENT CONCERNING THE CONSEQUENCES
FOR HUMAN RIGHTS AND TRADE UNION
FREEDOMS OF THE IMPROPER USE OF THE
PROGRESS ACHIEVED BY SCIENCE AND
TECHNOLOGY IN THE FIELD OF DATA
PROCESSING.

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TAGS: OCON, ELAB, CI, ILO
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